

EXECUTIVE ORDER

01.01.2007.02

BayStat

WHEREAS, The Chesapeake Bay is a national treasure and the deepest wellspring of Maryland's history, economy, recreational life, and character;

WHEREAS, Notwithstanding public and private efforts to protect the Chesapeake Bay, pollution, insensitive development, and other environmentally degrading activities continue to pose serious threats to the health, vitality, and beauty of the Bay;

WHEREAS, Experience has shown that analysis of empirical data by policymakers and public administrators yields better public policy, improves the effectiveness and efficiency of public programs, and leads to wiser allocation of public resources;

WHEREAS, The health of the Chesapeake Bay, and the progress of governmental efforts to protect and restore the vitality of the Bay, are susceptible of measurement; and

WHEREAS, Restoring the vitality of the Chesapeake Bay is a matter of great public importance.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Establishment of BayStat. There is hereby established an accountability process, known as BayStat, for measuring and evaluating efforts to restore the Chesapeake Bay. BayStat shall be a joint project of the Departments of Agriculture, the Environment, Natural Resources, and Planning (the Departments).

B. Objectives of BayStat. The objectives of BayStat are as follows:

(1) To provide accurate and timely data to policymakers about the efficacy and cost-effectiveness of governmental programs to restore the vitality of the Chesapeake Bay;

(2) To track and assess the progress of governmental programs to improve the health of the Bay, and to track and assess the enforcement of laws and regulations to curb the pollution of the Bay;

(3) To provide a forum for the exchange and continuous analysis of data that will generate new insights for cleaning up the Bay;

(4) To identify and make recommendations for the establishment of measurable goals in the process of Bay restoration;

(5) To identify new threats to the health of the Bay; and

(6) To increase public awareness of, and participation in, efforts to restore the vitality of the Bay.

C. Director, Agency Liaisons, Participants.

(1) The Secretaries of Agriculture, Environment, Natural Resources and Planning (the Secretaries) shall, within 30 days of the date of this Order, jointly designate an employee of one of their respective Departments, of a public college or university in Maryland, or of the Office of the Governor, as director of BayStat.

(2) Each Secretary shall designate, from among the employees in their Department, a departmental liaison to BayStat.

(3) The Secretaries shall designate additional employees as regular participants in BayStat.

(4) Staff members from the Office of the Governor and from other state agencies, including the Department of Budget and Management, and representatives of academic institutions, including the University of Maryland Center for Environmental Studies, will also be regular participants.

D. BayStat Measures.

(1) BayStat shall gather data related to:

(a) water quality;

(b) nutrient and sediment loads;

(c) biotic integrity;

(d) fisheries and other living resources;

- (e) growth and development impacts on land and water resources;
- (f) the status and cost of programs to reduce atmospheric emissions of pollutants that reach the Bay;
- (g) the status and cost of efforts to restore Bay wetlands and forest buffers;
- (h) the status and cost of programs to assist Maryland farmers in implementing pollutant-reducing practices;
- (i) the status and cost of programs to upgrade or replace wastewater treatment facilities and onsite sewage disposal systems and to implement stormwater management measures, as well as other programs that are components of the Chesapeake Bay Tributary Strategies;
- (j) the status and cost of efforts to preserve lands and manage the impact of development;
- (k) the status and cost of efforts to enforce laws and regulations pertaining to the pollution of the Bay;
- (l) the cost effectiveness of Bay-related governmental programs; and
- (m) any other subject deemed pertinent by the Secretaries, the President of UMCES, or the director of BayStat.

(2) Wherever appropriate, BayStat shall gather and present data by tributary area and shall support the Tributary Strategies Implementation Plan.

E. BayStat Procedures.

- (1) BayStat shall convene on a quarterly basis, or more frequently if the Secretaries deem appropriate.
- (2) Consistent with Sections B and D, the participants in BayStat shall, on an ongoing basis, identify and refine the types of data to be collected and presented at BayStat meetings.
- (3) In advance of each meeting of BayStat, each departmental liaison to BayStat shall provide data designated by BayStat participants to the director of BayStat.

(4) After receipt of data, and also in advance of each meeting, the director of BayStat shall produce a report, to be circulated to all regular participants, analyzing the data and identifying areas of inquiry.

(5) At meetings of BayStat, each departmental liaison shall be responsible for presenting the data provided to BayStat by their Department. Participants may pose questions to the departmental liaisons, who shall be responsible for answering the question or referring the question to other Department staff.

(6) The director of BayStat, with the assistance of staff at the Departments and other BayStat participants, shall be responsible for identifying and, where appropriate, developing computer software to allow for the clearest presentation of data to BayStat participants.

F. Public Participation.

(1) The director of BayStat shall be responsible for the development of a BayStat website, which shall:

(a) Be consistent with law, provide BayStat data to the public;

(b) Make BayStat data accessible to laypeople through explanation, illustration, and analysis; and

(c) Be regularly updated and maintained.

(2) The director of BayStat shall also report annually to the public about the health of the Bay, the status of governmental efforts to restore the Bay, and the development and implementation of BayStat.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 14th Day of February, 2007.

Martin O'Malley
Governor

ATTEST:

Dennis Schnepfe
Interim Secretary of State